

RER - 22001-62079

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
AT JACKSON**

ROBERT STRICKLIN,)	
)	
Plaintiff,)	
)	
VS.)	No. _____
)	
TRUSTGARD INSURANCE COMPANY,)	
)	
)	
Defendant.)	

NOTICE OF REMOVAL

Defendant, TRUSTGARD INSURANCE COMPANY, hereby notifies the Judges of the United States District Court for the Western District of Tennessee, the clerk of the Circuit Court of McNairy County, Tennessee and Robert Stricklin, that the action described herein and filed in the Circuit Court of McNairy County, Tennessee, is removed to the United States District Court for the Western District of Tennessee, pursuant to 28 U.S.C. Section 1441.

1. On April 19, 2008, Plaintiff, Robert Stricklin, filed a civil action bearing Docket No. 5935 against the Defendant, Trustgard Insurance Company, in the Circuit Court of McNairy County, Tennessee. Service of the complaint and summons was made upon Trustgard Insurance Company on April 25, 2008, by certified mail through the Department of Insurance of the State of Tennessee.

2. This action is filed by Plaintiff for proceeds allegedly due under a contract of insurance written by Defendant, Trustgard Insurance Company, insuring Plaintiff's residence and contents in McNairy County, Tennessee, which property was allegedly destroyed by a fire occurring on or about September 8, 2006.

3. Petitioner seeks removal of this action to this Court upon the grounds that the controversy is wholly between citizens of different states and involves an amount in controversy which exceeds Seventy-five Thousand Dollars (\$75,000.00), exclusive of the interest and costs, 28 U.S.C. Section 1332. Specifically, the complaint alleges that the building and contents were destroyed by fire and demands payment of the applicable limits of insurance, which exceed \$75,000.00, plus prejudgment interest.

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4. Plaintiff is a resident and citizen of the State of Tennessee and was a citizen of the State of Tennessee at the time of the filing of this action and at the time of removal. Defendant, Trustgard Insurance Company, is a corporation incorporated in Ohio, with its principal place of business in Columbus, Ohio. The amount in controversy exceeds Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs.

5. This notice is filed within the time prescribed by 28 U.S.C. Section 1446(b).

6. A copy of the Summons and Complaint, being all the papers served upon the Defendant, is attached hereto.

WHEREFORE, Notice is hereby given that the said civil action number 5935 is removed from the Circuit Court of McNairy County, Tennessee, to this Court.

RAINEY, KIZER, REVIERE & BELL, P.L.C.

By: s/ Russell E. Reviere
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CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of this pleading or document was served upon counsel for each of the parties by mailing postage prepaid or via this court electronic filing system.

This the 16th day of May, 2008.

s/ Russell E. Reviere